

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH MICHAEL TREJO,
Plaintiff,

v.

SIMMONS BEDDING COMPANY, LLC,
Defendant.

Case No. 15-cv-01810-CRB

ORDER OF DISMISSAL

The parties hereto, by their counsel, having advised the court that they have agreed to a settlement of this cause, **IT IS HEREBY ORDERED** that this cause of action is dismissed **without** prejudice; provided, however that if any party hereto shall certify to this court, within forty-five (45) days, with proof of service thereof, that the agreed consideration for said settlement has not been delivered over, the foregoing order shall stand vacated and this cause shall forthwith be restored to the calendar to be set for trial.

If no certification is filed, after passage of forty-five (45) days, the dismissal shall be **with** prejudice.

Dated: April 18, 2016



CHARLES R. BREYER
United States District Judge